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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/657,196

09/09/2003

Kenji Sera

Q77403

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09/19/2006

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EXAMINER

PHAM, THANHHA S

ART UNIT

PAPER NUMBER

2813

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/657,196

Applicant(s)

SERA ET AL.

Examiner

Thanhha Pham

Art Unit

2813

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/7/2006 and interview dated 9/7/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-37, 40, 42, 43, 46, 48 and 50-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21 and 35 is/are allowed.
- 6) ☒ Claim(s) 22-37, 40, 42, 43, 46, 48 and 50-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>9/17/2006</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/5/2006</u> . | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

This Office Action is in response to Applicant's Amendment dated 6/22/2006.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 22-34, 36-37, 40, 42-43, 46, 48, 50-63 are rejected under 35

U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- ▶ With respect to claims 22-34, 36, 40, 42-43, 46, 48, 53-63,
consistent claimed languages should be used to clarify scopes of claims.
Since independent claims cite different relatively high absolute values of threshold values of different transistors and relative low absolute values of threshold values of different other transistors, each threshold value of each of transistors should be **named** differently to prevent confusion when dependent claims refer back to which threshold value of which transistor. See Examiner's suggestion in interview summary.
- ▶ With respect to claim 37,
lines 5-12, scope of claim can not be defined. It is not clear which transistor (as cited on line 5 of claim 37) ...**connected between the power**

supply and said couple control terminals is intended to which circuit as defined by Applicant's specification and figure. It is not clear which transistor (as cited on line 9 of claim 37)... **connected between an output end of one transistor of said load element pair and said coupled control terminal** is intended to which circuit as defined by Applicant's specification and figure. Applicant is respectfully requested to clarify.

- ▶ With respect to claims 50-51,

the claimed language is very confused. In addition, it is not clear that "said transistors" refer to which transistors as cited in claim(s) 48 and/or 40.
- ▶ With respect to claim 52,

the claimed language is very confused. In addition, it is not clear that "said transistor" refer to which transistor as cited in claim(s) 48 and/or 40.

Allowable Subject Matter

2. Claims 21 and 35 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:
 - ▶ Recorded Prior Art fails to suggest or disclose the combination of differentially amplifier circuit as cited in base claim 21 including a switch circuit inserted in a current path of said differential stage for controlling an activation and deactivation of said differential stage, said switch comprising at least one transistor which has a threshold value higher than that of the transistors having relatively low threshold value.

► Recorded Prior Art fails to suggest or disclose the combination of differentially amplifier circuit as cited in base claim 35 including a current source for supplying current to said differential pair wherein said current source is comprised of a transistor having a threshold value higher than that of the transistor having relatively low threshold value and comprising at least a control terminal for receiving a bias voltage as a control signal to be controlled to be on and off.

Response to Arguments

4. Applicant's arguments with respect to claims 22-34, 36-37, 40, 42-43, 46, 48, and 50-63 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning is communication or earlier communications from the examiner should be directed to Thanhha Pham whose telephone number is (571) 272-1696. The examiner can normally be reached on Monday and Thursday 9:00AM - 9:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead can be reached on (571) 272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TSP

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

THANHHA S. PHAM
PRIMARY EXAMINER